THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 6989 of 2007

Dated: 05.04.2007

Between:

K. Lakshmipathi Rao.

.... PETITIONER

AND

A.P.S.R.T.C., rep. by its
Managing Director,
Musheerabad, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 6989 of 2007

Order:

The petitioner was appointed as a Driver in the respondents-Corporation on 13.12.1978. While working as such, he undergone Bye-pass surgery on 16.03.2006 at Nizams Institute of Medical Sciences, Hyderabad, and since the Doctors advised him not to continue as Driver, he made an application requesting the respondents-Corporation to permit him to retire from service on medical grounds. Thereupon, the petitioner was referred to the APSRTC Dispensary, Tarnaka, Hyderabad, and the Medical Officer, who examined the petitioner, declared him medically unfit to hold the post of Driver, vide his letter, dated 25.09.2006. Based on the said letter, the 3rd respondent issued proceedings, dated 09.10.2006, retiring the petitioner from service on medical grounds with effect from 25.09.2006. Thereafter, the petitioner made a representation, dated 18.12.2006, followed by a legal notice, dated 10.01.2007, requesting the 3rd respondent to release the additional monitory benefits, required to be paid under the amended Regulation
No.6-A (5) (b) of the A.P.S.R.T.C. Employees (Service) Regulations, 1964, but till date, no orders thereon have been passed. Hence, he filed the present writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

Since the representation of the petitioner, dated 18.12.2006, requesting to release additional monitory benefits, is said to be pending consideration before the 3rd respondent, without going into the merits of

the matter, I deem it appropriate to dispose of the writ petition with the following directions.

The 3rd respondent, namely the Depot Manager, APSRTC, Nuzvid Depot, Nuzvid, Krishna District, is directed to consider the representation of the petitioner, dated 18.12.2006, for releasing the additional monitory benefits in the light of the amended Regulation No.6-A (5) (b) of the A.P.S.R.T.C. Employees (Service) Regulations, 1964, and pass appropriate orders thereon, expeditiously, preferably within a period of two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 05.04.2007
Nsr